

REMARKS

This is in response to the Office Action of October 3, 2003.

1. The drawings have been objected to under 37 C.F. R 1.83(a)
 - a) The "shatterproof glass shield" is shown in the proposed drawings attached hereto;
 - b) & c) The "intermediate hinge" and "a latch and mating lock" are already shown in FIG. 2 as 14, 15 and 16.

2. Claim 1 has been objected to because of informalities in line 2. It is contended that "the hydrant cylinder" lacks antecedent basis. Applicant has adopted the Examiner's proposed wording to the claim to overcome this objection.

3-4 Claims 1-8 have been rejected under 35 U.S.C. 103 (a) as being unpatentable over Lanza in views of Monte and Thurer.

The primary Lanza reference relates to a remotely controlled, long distance identification beacon located in a housing. Lanza discloses a strap for fastening the housing to a tree. Applicant's belt is an integral assembly with the interconnected strobe lights mounted to the belt, a plurality of intermediate solar panels alternating in an array with the strobe lights mounted to the belt, a power pack mounted to the belt and a receiver mounted on said belt.

Applicant is concerned with a hydrant locator and his integral belt assembly is specifically designed for mounting to the cylinder of a hydrant. The arrays of strobe lights provide a signal in a 360° arc while the solar cells are similarly arranged and charged through the 360° layout. Lanza is merely concerned with locating a hunting blind in a tree from year to year.

The Lanza structure is a housing assembly and the "belt" is merely a strap for fastening the housing to a tree—no more than that. A single strobe light protrudes from Lanza's housing. There is no array of interconnected strobe lights or intermediate solar panels in the Lanza design. Applicant's design is specifically structured to be a hydrant locator.

The Lanza reference involves a long distance identification beacon whereas applicant specifically claims a transmitter with a limited range. Applicant is concerned with locating hydrants within a given range. The strobe lights are designed to operate at a specific speed indicating their distance from the transmitter. In this manner, the fire fighters can immediately determine where to hook up their hoses. No time is lost or mistakes made. Another distance indicator is the color of the strobe light which may vary depending on distance from the transmitter.

Applicant also claims a shatterproof glass shield mounted over his belt—a separate element. Paragraph 50 of Lanza merely discusses resin materials for his housing in order to provide a weatherproof shield. Applicant proposes a vandal-proof housing for his belt assembly.

It is admitted by the Examiner that Lanza does not disclose applicant's hinge and latch, nor a plurality of interconnected lights and a plurality of intermediate solar panels alternating in an array with the lights, nor a power pack mounted on each end of the belt.

The Monte reference is cited to teach an indicator support device that comprises a hinge located approximately 180° opposite a latch. The Monte reference relates to a fire extinguisher support. Apparently, the Examiner wants to affix the housing of Lanza to a tree with Monte.

The strap and band connection design of Monte are inert and do not disclose the integral assembly of applicant. Adding Monte to Lanza fails to enhance the anticipating affect of these patents. Further, the tree branch of Lanza may or may not accommodate the band of Monte holding the housing of Lanza.

The Thurer reference relates to an optical function display for automobile lights which use solar cells illuminated by respective lights to provide operating current for LED's. The abstract states that the function display uses miniature LED's (3) coupled to respective solar cell modules (4). The latter are positioned to be illuminated by a respective light (6,7) to supply the operating current for the LED (3), so that a visible signal is provided only upon correct operation of the light (6,7). The lights do not appear to be interconnected nor do the solar cells. The operation of a corresponding light and solar cell is independent rather than associated with the operating of adjacent lights and cells. The Thurer patent is inappropriately combined with Lanza. There is no way the devices could be combined and the teachings are in no way compatible.

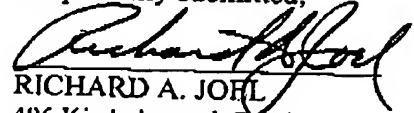
Claims 7 and 8 are dependant ultimately on a patentable Claim 1 and include added additional limitations which should be patentable in the combined structure. It is not an appropriate rejection to cite various elements and then say that they could be combined in a manner not shown or suggested in the prior art.

Applicant has amended independent Claim 1 and dependent Claims 2-8 to further distinguish over the prior art of record. These claims appear patentable for reasons cited above.

SUMMARY

Claims 1-8 appear patentable over the cited prior art. Reconsideration and allowance of this application in its amended form is, therefore, respectfully requested.

Respectfully submitted,



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